

P07 43884 (18810-80389)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry C. Lin, M.D.

Art Unit: 1615

Serial No.: 09/420,046

Examiner: Tran, S.

Filed: October 18, 1999

For: METHODS AND COMPOSITIONS FOR IMPROVING DIGESTION AND
ABSORPTION IN THE SMALL INTESTINE

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CERTIFICATE OF EXPRESS MAILING

HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE AND LABEL INDICATED BELOW AND IS ADDRESSED TO BOX PATENT APPLICATION, THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D. C. 20231---

December 26, 2001

Date of Deposit and Signature

Ann Weiss

EL 900 688 479 US

Express Label No.

TRANSMITTAL

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D. C. 20231

Dear Sir/Madam:

Transmitted herewith are the following documents:

(1) Petition for Extension of Time Under 37 CFR 1.36(a), including authorization to charge \$460.00 to Deposit Account No. 50-1597 for a three-month extension of time;

(2) Continued Prosecution Application (CPA) Under 37 CFR 1.53(d), including authorization to charge the filing fee of \$703.00 to Deposit Account No. 50-1597; and

(3) Second Request for Correction of "Corrected" Filing Receipt.

Respectfully submitted,

By:

Nisan A. Steinberg, Ph.D.
Reg. No. 40,345

SIDLEY AUSTIN BROWN & WOOD
555 West Fifth Street
Los Angeles, California 90013
Ofc: 213-896-6665
Fax: 213-896-6600

16/Reg under
1-53-02**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL (Small Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

P07 43084 (18810-80389)

☐ **DUPLICATE** (Check box if applicable)

First Named Inventor

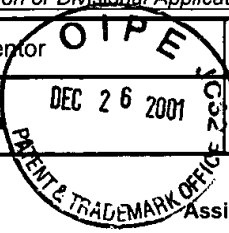
Examiner

Group/Art Unit

Henry C. Lin

Tran, S.

1615



Address to:

Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

This is a request for filing a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/420,046 filed on 10/18/99 and entitled:

Methods and Compositions for Improving Digestion and Absorption in the Small Intestine

1. ☒ Enter the unentered amendment previously filed on June 13, 2001 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

01/04/2002 GTEFFERA 00000013 501597 09/420,046

5. ☐ Small Entity Status:

02 FC:231	370.00 CH
03 FC:203	207.00 CH
04 FC:202	126.00 CH

- a. ☐ A small entity statement is enclosed.

- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

6. ☐ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	43	- 20 =	23	x \$9.00	\$207.00
Indep. Claims	6	- 3 =	3	x \$42.00	\$126.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
TOTAL FILING FEE					\$703.00

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 50-1597

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of _____ is enclosed.

9. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449
- b. ☐ Copies of IDS Citations

10. ☐ Also enclosed:

11. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

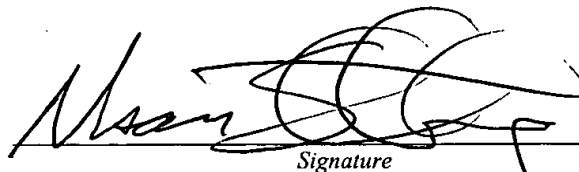
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: December 26, 2001


Signature

Nisan A. Steinberg, Ph.D.

Typed or printed name

40,345

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Henry C. Lin

Docket No.

P07 43084 (18810-80389)

Serial No.

09/420,046

Filing Date

10/18/99

Examiner

S. Tran

Group Art Unit

1615

Invention:

Methods and Compositions for Improving Digestion and Absorption in the Small Intestine

I hereby certify that the following correspondence:

Continued Prosecution Application (CPA) Under 37 CFR 1.53(d)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

December 26, 2001*(Date)*Ann Weiss*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EL 900 688 479 US*("Express Mail" Mailing Label Number)*

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry C. Lin, M.D.

Art Unit: 1615

Serial No.: 09/420,046

Examiner: Tran, S.

Filed: October 18, 1999

For: METHODS AND COMPOSITIONS FOR IMPROVING DIGESTION AND
ABSORPTION IN THE SMALL INTESTINE

CERTIFICATE OF EXPRESS MAILING

HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE AND LABEL INDICATED BELOW AND IS ADDRESSED TO BOX PATENT APPLICATION, THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D. C. 20231--

December 26, 2001

Date of Deposit and Signature

Ann Weiss

EL 900 688 479 US

Express Label No.

REQUEST FOR CORRECTION OF "CORRECTED" FILING RECEIPT

BOX PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D. C. 20231

Dear Sir/Madam:

Applicant respectfully submits a second request for correction of Filing Receipt as indicated on the enclosed copy of "Corrected" Filing Receipt (submitted herewith as Exhibit A) for the above-referenced application. The Corrected Filing Receipt issued on January 13, 2000 and incorrectly lists 09/359,583 as a CIP of 08/832,307 instead of as a continuation; and 08/832,307 as a CIP OF 08/442,843 instead of as a continuation.

Also submitted herewith as Exhibit B in support of Applicant's Request is Applicant's First Request for Correction of Filing Receipt regarding the above-referenced application.

(1) It includes the first page of the above-referenced application indicating that:

This application is a continuation-in-part of U.S. Patent Application Serial No. 09/359,583, filed on July 22, 1999, which is a continuation of U.S. Patent Application Serial No. 08/832,307, filed on April 3, 1997, which is a continuation of U.S. Patent Application Serial No. 08/442,843, filed on May 17, 1995.

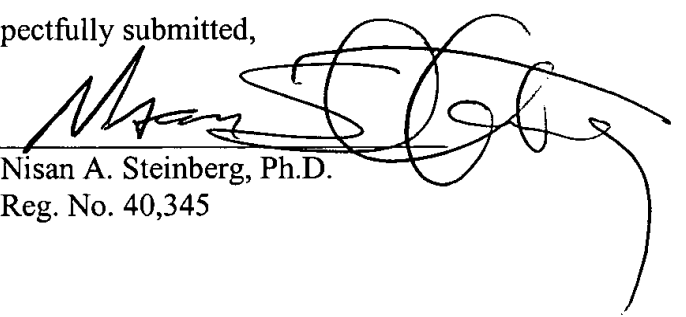
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(2) In addition, it includes a copy of the transmittal which indicates that the continuing data was included in the transmittal accompanying the application.

In view of the above, Applicant respectfully requests that this information be included in a Corrected Filing Receipt.

Respectfully submitted,

By:


Nisan A. Steinberg, Ph.D.
Reg. No. 40,345

SIDLEY AUSTIN BROWN & WOOD
555 West Fifth Street
Los Angeles, California 90013
Ofc: 213-896-6665
Fax: 213-896-6600



P07 43084 CEDAR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: December 22, 1999

In re application of: Henry C. Lin
Serial No. 09/420,046
Filed: October 18, 1999
For: METHOD AND COMPOSITIONS FOR IMPROVING DIGESTION
AND ABSORPTION IN THE SMALL INTESTINE THERAPIES
Examiner: Unassigned
Unit: 1614

REQUEST FOR CORRECTION OF FILING RECEIPT

Application Processing Division
Customer Correction Branch
Assistant Secretary and commissioner of
Patents and Trademarks
Washington, d. c. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D. C. 20231. ON <u>December 22, 1999</u>	
BY <u>ANN WEISS</u>	DATE <u>December 22, 1999</u>
(DATE OF SIGNATURE)	

Dear Sir or Madam:

Applicant requests correction of Filing Receipt with respect to the above-referenced application as indicated on the enclosed copy of the Filing Receipt recently received.

The first page of the above-referenced application (copy enclosed) states that:

This application is a continuation-in-part of U.S. Patent Application Serial No. 09/359,583, filed on July 22, 1999, which is a continuation of U.S. Patent Application Serial No. 08/832,307, filed on April 3, 1997, which is a continuation of U.S. Patent Application Serial No. 08/442,843, filed on May 17, 1995.

In addition, the continuing data were included in the transmittal accompanying the application (copy enclosed).

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trade Mark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

cedars

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/420,046	10/18/99	1614	\$1,679.00	P07-43084	0	95	19

NISAN A STEINBERG PH D
PRETTY SCHROEDER & POPLAWSKI P C
444 SOUTH FLOWER STREET - 19TH FLOOR
LOS ANGELES CA 90071-2909

DOCKETED FOR

JPS - 11/1/00
Foreign Rem. 8/11/00
DUE - 10/1/00

ATTY'S INITIALS *NAS*

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) HENRY C. LIN, M. D., MANHATTAN BEACH, CA.

CONTINUING DATA AS CLAIMED BY APPLICANT -

THIS APPL IS A CIP OF 09/359,583, WHICH IS A

CONTINUATION OF 08/832,307, WHICH IS A

CONTINUATION OF 08/442,843.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 11/12/99 ** SMALL ENTITY **
TITLE

METHOD AND COMPOSITIONS FOR IMPROVING DIGESTION AND ABSORPTION IN THE
SMALL INTESTINE

PRELIMINARY CLASS: 514

DATA ENTRY BY: MIDDLETON, MATTIE TEAM: 04 DATE: 11/12/99

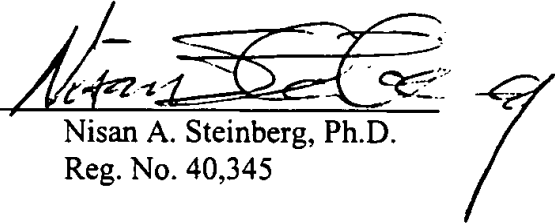
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

(See reverse for new important information)

Applicant respectfully requests that this information be included on the Filing Receipt.

Respectfully submitted,

PRETTY, SCHROEDER & POPLAWSKI, P.C.

By: 
Nisan A. Steinberg, Ph.D.
Reg. No. 40,345

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12338.1